

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Patricia A. Hines
fka Patricia A. Thompson, fka Patricia A. McCary
Debtor(s)

Bankruptcy Case No.: 18-22632-CMB
Issued Per Sep. 17, 2018 Proceeding
Chapter: 13
Docket No.: 47 - 32
Concil. Conf.: January 31, 2019 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 3, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 31, 2019 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☒ F. Peoples Gas shall be paid monthly payments of \$96.56 beginning with the Trustee's October, 2018 distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Borough of Wilksburg at Claim No. 3; Wilksburg School District at Claim No. 4-3; County of Allegheny at Claim No. 14 .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$5,000 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: September 27, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Patricia A. Hines
 Debtor

Case No. 18-22632-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 43

Date Rcvd: Sep 27, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2018.

db +Patricia A. Hines, 2801 Graham Blvd., Pittsburgh, PA 15235-1563
 cr +County of Allegheny, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +Wilkinsburg School District and Wilkinsburg Borough, Tax Division,
 c/o Maiello, Brungo & Maiello, LLP, Foxpointe II, 100 Purity Rd, Ste. 3,
 Pittsburgh, PA 15235-4441
 14873055 +AAS Debt Recovery, Inc., PO Box 129, Monroeville, PA 15146-0129
 14873057 +AR Resources, 1777 Sentry Pkwy. W, Blue Bell, PA 19422-2206
 14895024 CW Nexus Credit Card Holdings I, LLC, Resurgent Capital Services, PO Box 10368,
 Greenville, SC 29603-0368
 14906167 +County of Allegheny, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14873059 +County of Allegheny, c/o Goehring, Rutter & Boehm, 437 Grant Street, 14th floor,
 Pittsburgh, PA 15219-6101
 14873061 +Dominion Peoples, PO Box 26784, Richmond, VA 23261-6784
 14897944 +ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
 14873063 +Enterprise Rent-A-Car, 4489 Campbells Run Road, Pittsburgh, PA 15205-1311
 14873065 +GC Services, 6330 Gulfon, Houston, TX 77081-1198
 14873064 +GameFly, Inc., 5340 Alla Road, Suite 110, Los Angeles, CA 90066-7049
 14919865 +George Just, D.M.D., C/O AAS Debt Recovery Inc., 2526 Monroeville Blvd. Ste. 205,
 Monroeville, PA 15146-2371
 14873066 +KML Law Group, PC, Mellon Independence Center, Ste 5000, 701 Market Street,
 Attn: Filippello Salvatore, Esquire, Philadelphia, PA 19106-1538
 14873067 +Mariner Finance, 8211 Town Center Drive, Nottingham, MD 21236-5904
 14873068 +MarkOne Financial Services, 1448 Babcock Blvd, Pittsburgh, PA 15209-1631
 14873069 +Navient Solutions LLC, PO Box 16408, Saint Paul, MN 55116-0408
 14902094 PennyMac Holdings, LLC, c/o PennyMac Loan Services, LLC, P.O. Box 2010,
 Moorpark, CA 93020
 14873071 +PennyMac Loan Services, LLC, 27001 Agoura Road, Suite 350, Calabasas, CA 91301-5112
 14873072 +People Natural Gas Company, 225 North Shore Drive, Pittsburgh, PA 15212-5860
 14873073 +People's Natural Gas Company, PO Box 644760, Pittsburgh, PA 15264-4760
 14900183 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14897560 +Po Box 7949, Overland Park, Ks 66207-0949
 14873074 +Professional Account Management, 633 W. Wisconsin Street, Milwaukee, WI 53203-1920
 14873075 +S. James Wallace, 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
 14873076 +SAF, 2500 Broadway, PO Box 203101, Helena, MT 59620-3101
 14873078 +Stuart-Lippman and Associates, 5447 E 5TH ST STE 110, Tucson, AZ 85711-2345
 14883626 US Department of Education, P O Box 16448, St Paul, MN 55116-0448
 14873079 +US Dept of Education, PO Box 16448, Saint Paul, MN 55116-0448
 14891914 +Wilkinsburg Borough, c/o Maiello Brungo & Maiello, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441
 14873081 +Wilkinsburg Borough, 605 Ross Avenue, Pittsburgh, PA 15221-2195
 14891949 +Wilkinsburg School District, c/o Maiello Brungo & Maiello, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14873056 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 28 2018 02:37:02 American InfoSource LP,
 4515 N Santa Fe Avenue, Oklahoma City, OK 73118-7901
 14873060 +E-mail/Text: bankruptcynotices@dcicollect.com Sep 28 2018 02:20:34 Diversified Consultants,
 10550 Deerwood Park Blvd, Suite 309, Jacksonville, FL 32256-2805
 14873062 +E-mail/Text: kbarkley@bernsteinlaw.com Sep 28 2018 02:20:48 Duquesne Light Company,
 411 Seventh Avenue, Pittsburgh, PA 15219-1942
 14910114 +E-mail/Text: kbarkley@bernsteinlaw.com Sep 28 2018 02:20:48 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14873070 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Sep 28 2018 02:19:46
 Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946,
 Harrisburg, PA 17128-0946
 14897426 +E-mail/Text: JCAP_BNC_Notices@jcap.com Sep 28 2018 02:20:19 Premier Bankcard, Llc,
 Jefferson Capital Systems LLC Assignee, PO Box 7999, Saint Cloud Mn 56302-7999
 14897562 E-mail/Text: appebnmailbox@sprint.com Sep 28 2018 02:19:54 Sprint Corp, PO Box 7949,
 Overland Park, KS, 66027
 14873077 +E-mail/Text: appebnmailbox@sprint.com Sep 28 2018 02:19:53 Sprint, PO Box 8077,
 London, KY 40742-8077
 14903400 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 28 2018 02:37:09 Verizon,
 by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838
 14873080 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Sep 28 2018 02:18:45
 Verizon, 500 Technology Drive, Suite 300, Weldon Springs, MO 63304-2225

TOTAL: 10

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 43

Date Rcvd: Sep 27, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PENNYMAC HOLDINGS, LLC
cr Planet Home Lending, LLC as servicer for Assets Re
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828
14897561* +PO Box 7949, Overland Park, KS 66207-0949
14873058 ##+Comcast, 610 Epsilon Drive, Pittsburgh, PA 15238-2975

TOTALS: 2, * 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 29, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 27, 2018 at the address(es) listed below:

Brian C. Thompson on behalf of Debtor Patricia A. Hines bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com/LMichaels@thompsonattorney.com/jwrzosek@thompsonattorney.com/mgillespie@thompsonattorney.com/bthompson@ecf.courtdrive.com/jgorze@thompsonattorney.com
James Warmbrodt on behalf of Creditor PENNYMAC HOLDINGS, LLC bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Planet Home Lending, LLC as servicer for Assets
Recovery 23 LLC bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com
Jennifer L. Cerce on behalf of Creditor Wilkinsburg School District and Wilkinsburg Borough
jlc@mbm-law.net
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
DMcKay@bernsteinlaw.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 9